

Quid Novi

VOL. V NO. 4 LAW LIBRARY MCGILL UNIVERSITY FACULTY OF LAW
FACULTE DE DROIT UNIVERSITE MCGILL

October 3, 1984
3 octobre, 1984

OCT 4 1984

MCGILL UNIVERSITY

Too Many Lawyers ?

by Eric Roher

Part One

The legal profession is facing hard times. Many lawyers are finding it difficult to obtain adequate incomes from the practice of law. Young lawyers are forced to reduce fees to compete for business. Cut-throat competition is prompting some of them to use aggressive marketing techniques to attract clients. Increasing number of lawyers are drumming up or prolonging litigation in order to generate fees, while all too often giving clients poor advice.

Members of the legal profession argue that many of today's troubles stem from one simple fact: there are too many lawyers chasing too few clients. The statistics are revealing. Canada, with 40,000 practising lawyers, now has one lawyer for every 667 people, a statistical increase from one lawyer for every 1,240 people ten years ago.

The number of practising lawyers seems to be growing faster than the business available to support them. In response to this problem, the Law Society of Upper Canada is lobbying for a reduction in the number of admissions to Ontario's six law schools. Since the Society represents about 40 per cent of the lawyers in Canada, its move will doubtless influence other provincial legal bodies, which face similar difficulties.

A number of questions arise. Is there any substantive evidence to verify the perception that there is a surplus of lawyers in Canada? If, in fact, Canada is oversupplied with legal practitioners, what options are available to reduce their number? And how practical and socially beneficial is the proposal put forward by

the Law Society of Upper Canada to control law-school enrollment by imposing admission quotas?

This article will examine recent conditions in the market for lawyers and will outline possible future developments. It is my belief that the proposal to restrict

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ANDRE LEMIEUX

Louise Comtois

C'est un italien...

Il a 34 ans. Diplômé en sociologie des communications, il travaille à McGill depuis six semaines à titre de directeur du service "Admission, Bourse et Placement". Il occupe le premier bureau en entrant dans la faculté, celui dont la porte est toujours entre-bâillée. Derrière ce détail pourtant banal se cache toute la conception qu'a André Lemieux de ses nouvelles responsabilités: créer un service à l'écoute des étudiants, un centre d'accueil et de rencontres où la porte est ouverte à tous. C'est là que nous l'avons rencontré pour parler de ce nouveau service et surtout de l'opinion qu'il en a.

Un Modèle Américain

"À ma connaissance, McGill est la première faculté de droit au Canada à se doter d'un pareil service. Ils sont plus nombreux aux États-Unis parce qu'est plus répandue l'idée qu'il faille

entreprendre des démarches en vue d'obtenir un emploi en droit dès la première année". André Lemieux n'est pas convaincu que ce soit la meilleure approche. Son service offrira évidemment les renseignements essentiels dans le domaine du droit, tant à Montréal, qu'en province ou qu'au Canada. Mais à son avis, il est aussi très important pour les étudiants de considérer tous les domaines où la formation juridique peut être un bon pré-requis, par exemple l'administration aux différents paliers de gouvernements, dans les industries ou les corporations, etc. Il leur suggère même de saisir toutes les opportunités qui se présentent de travailler dans des champs d'activités différents, histoire d'explorer des horizons variés.

Paris ne s'est pas Bâti en un Jour

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Legal Education

Dean Roderick A. Macdonald

A number of students in the Faculty have asked me -- I imagine as a result of the address to the incoming class which appeared recently in the *Quid* -- to submit regular contributions about various aspects of legal education. It would be my hope to take certain events which occur during the course of the year and write short commentaries upon these, but while waiting for an appropriate development, I thought it might be worthwhile for me to begin with a few short notes about legal education and professional competence. So I shall be writing over the next few weeks on this general theme.

The Education of a Competent Lawyer

I would like to essay an answer to the question "what can the Law Faculty contribute to the making of a competent lawyer?" by asking, first, "what does the professionally competent lawyer claim to know that others, including incompetent lawyers, do not know?" In other words, I think we could pursue the question by considering the nature of legal knowledge by seeking insights of competent lawyers, be these government solicitors, corporate counsel, labour arbitrators, law teachers, private practitioners, judges, politicians, poets or whatever. Over the next few weeks I will be discussing five of these insights.

1. The Limits of Legislation and Adjudication as Mechanisms of Social Ordering -- Dilemmas of Theory and Practice

Let me begin by asking why lawyers, whose education has been primarily directed to the activity of legislatures and courts, can nevertheless

be quite sensitive to various other decision-making processes which we find in modern societies. Why do lawyers have the ability to help parties solve disputes using such differing techniques as contract, mediation and arbitration by a third party? Why do they recognize the importance of customary interactional processes, a wide variety of voting procedures and deliberate recourse to chance in structuring the affairs of their clients?

These seemingly theoretical questions involve an awareness of the strengths and limitations of a wide variety of decisional processes; but they also encompass highly practical abilities as diverse as knowing when to sue and when to settle, when to draft a contract and when not to put an understanding in writing, when a phone call is better than a letter, when a legislative rule is required, when a casuistic development of a point is preferable and so on.

Can this insight be taught in the Law Faculty? Really, I am asking whether law teaching must necessarily focus on piles of cases and statutes. If the much deprecatd City Hall "fixer" can be no less a lawyer than the Supreme Court advocate surely the answer must be no. And a good legal education ought to prepare both professionals to recognize the appropriate realms for their preferred activities.

Let me offer an example drawn from the field of wills and Successions to illustrate the everyday importance of insights which can be kindled even in the most traditional law school subjects. It is derived from Lon Fuller. Suppose, in the liquidation of an estate, there is a bequest to two persons of a

one-half interest in the antique furnishings of a house. The executor asks how he is to proceed with the distribution of the legacies. Naturally, one might suggest the matter be referred initially to the court for decision: but upon reflection it is easy to realize that this is not a problem which lends itself well to adjudication. How does one value the items? Are some more valuable if kept as a set? Are some more valuable to one person than the other? Who gets first pick?

With some prodding, students confronted with this conundrum come to suggest that perhaps a settlement should be negotiated. Frequently, however, skepticism about the parties' abilities to work out an agreement without outside guidance leads to the abandoning of this proposal. Adjudication of the dispute will not work because the issue is too complex and there are no rights to be determined. Contracts, apparently, will not work because the problem has no structure. There seems to be no way of liquidating the estate short of selling the assets and dividing the proceeds. In other words, if the only resources available to the lawyer were adjudication and contract, an easy partition of the estate would be impossible. One would be forced to convert the assets into cash (with the attendant loss of value, emotional attachment, etc.) and divide the proceeds equally.

Yet, as both the civil law and common law recognize, conversion of an estate to cash usually is a less than optimal solution. Interestingly, in cases such as the one under discussion, both legal systems contemplate the

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Dear Mom,

McGill is fine but it's really not like my old university. It's not just that they gave me a glove compartment instead of a locker -- everything is different here. All through my B.A., I felt smart and even if I didn't feel it, I could always get my hair cut, buy new shoes and look it. Well, I'm in law school now and I've got to change my strategy -- I've been here three weeks, I'm almost bald, and I have fourteen new pairs of shoes. Not only do I still feel dumb but I look ridiculous.

Dean Rod says not to worry. He told me that whenever he feels unsmart he too gets his hair cut and you know Mom, you look at him and you just know he's not saying that to make me feel better. He's a swell guy. He even invited me to his reception. Mom you should have been there -- we're talking dignified city -- captivating intellectual discussion set over the soft sounds of Lawrence Welk interspersed with toasts to great alumni. It was so emotional. To think one day your son will walk out the doors of Chancellor Day Hall a noble member of an honourable profession. I tell you Mom that night I went to bed with visions of Krugerrands dancing around my head.

Mom you should see my class -- what a cross section! Remember Bora Laskin? Well, there's this one guy who could pass for Bora's older brother. Then there are a few middle aged ladies. They make me feel so stupid. They take such perfect notes in perfect handwriting and you just know they're doing the reading. Can't wait 'till I play against them in intramural football -- I'll show them.

Then there are my other colleagues. Can you believe it? Last year I had buddies, classmates, and fellow brown-nosers. This year I have "colleagues" and I have swapped my pack-sack for a brief case. Most of my colleagues are like me. They sit around figuring out how many school days are left in the year and thinking "So I fail a year. It's not the end of the world -- didn't even want to be a stupid lawyer in the first place".

Mom I'm giving you the wrong impression. It's not so bad here -- I'm learning. I've got this one course called torts. I don't really know what "torts" means, but I did learn that no self-respecting law student would advertize his ignorance and ask the professor in class. No real law student would ask the teacher after class either. The third year guys told me that meetings with profs during office hours are for sissies. So like my colleagues I've just gone ahead and started fitting "torts" in here and there. Hell I've even conjugated it: "Read about that malpractice suit. Apparently Dr. Smith tortured his patient real bad -- Judge said he's got to untort him fast or pay damages".

I've got another course called "Contracts". Great course. So far I've learnt how to give away a horse and get it back, sell a horse and get it back and more important, how to receive a horse as a gift or buy one, then lose it, but then get it back again. Amazingly all this was for a horse whose market value is under \$120 dollars. I only hope that I'll end up practicing in cowboy country.

In Constitutional Law I've learnt that if you own a bar,

like Jehovah's Witnesses, and the Premier doesn't like you, you had better change your faith quickly.

In Foundations I've learnt...well, I'm not exactly sure what I've learnt. Foundations is all about...well, I'm not quite sure what it's all about either but I'm sure it's very important because it's held in our nicest classroom. Mom, I know exactly where my teacher is coming from. It's uncanny but the whole class shares his sophist-Kantian-Nietzchian-Roscoe Poundian empirical view of things. We love that class.

Property is my fifth course, and it's a gem. We're studying personal and real property. So far I've learnt all about mobile homes -- Mom, they're a no-no. Avoid 'em like the plague. You can never tell if they're stuck to the ground or just pretend-stuck. Play it safe; get sunken treasures, homing pigeons, bumble bees, fish and chattel (that's latin for cattle). You can own these -- no problem. I like Mrs. Property and I'm polite in class. Actually Mrs. Property and Mr. Foundations are married so I'm being nice to both of them because if just one doesn't like me, there go two courses.

I had to buy my law books and it's true what they say, Mom. Bright lawyers may go to Toronto and work for corporate firms and earn big salaries, but the brightest are the professors who write law books and make tons of money.

See you at Thanksgiving, Mom.

Legally Yours,
Juris

by M.M.

Quid Novi is published weekly by students at the Faculty of Law of McGill University, 3644 Peel St., Montreal H3A 1W9. Production is made possible by support of the Dean's office, the Law Students' Association, and by direct funding from the students. Opinions expressed are those of the author only. Contributions are published at the discretion of the editor and must indicate author or origin.

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Quid Novi est une publication hebdomadaire assurée par les étudiants de la faculté de droit de l'université McGill, 3644 rue Peel Montréal, H3A 1W9. La publication est rendue possible grâce à l'appui du bureau du doyen, de l'Association des étudiants en droit ainsi que par le financement individuel des étudiants. Les opinions exprimées sont propre à l'auteur. Toute contribution n'est publiée qu'à la discrétion du comité de rédaction et doit indiquer l'auteur ou son origine.

Announcements

Mooting teams should sign up for Mooting II. Sign-up sheets are on the Moot Court Board (Board #9) in the pit.

Editorial

Publish or Perish

I know that Quid Novi is not exactly an international repository of legal knowledge. Nevertheless, I would like to take this opportunity to encourage members of the faculty to contribute their thoughts on teaching and learning law to the Quid. More often than not, students are not familiar with their professors' viewpoints about the nature of legal education, and it is a rare occasion when that subject becomes a focus of classroom discussion. For obvious practical reasons, any time that is devoted to this line of discussion must necessarily be limited, or must be pursued in the professor's office hours with only a few students.

In the future, I sincerely hope that the faculty will follow Dean Macdonald's initiative and submit some of their observations and opinions to the Quid Novi.

Pearl Eliadis

The Quid Novi's Advertising Policy for Law School Organizations

As the law faculty newspaper, Quid Novi is intended as a forum for all law students, faculty, and organizations. If your group is planning an event, you are welcome to submit articles and/or notices. However, if your group wants to further advertize the event in addition to these submissions, you will be charged for that additional space. Enquiries may be left at the Quid office, or you are welcome to approach the editorial staff.

La politique de publicité et d'annonces du Quid Novi pour les organisations de la faculté de droit

En tant que journal de la faculté de droit, le Quid Novi se veut un moyen de communication pour tous les étudiants de droit, les organisations et la faculté elle-même. Si votre groupe ou organisation planifie un événement, vous pourrez nous soumettre un article ou une annonce pour fins de publication. Si en plus de cela, il vous est nécessaire de faire

d'autre publicité à propos de ce même sujet, vous devrez alors encourir des frais pour l'espace additionnel. Nous vous invitons à soumettre vos demandes au bureau du Quid Novi ou de vous adresser à l'un des membres de l'équipe du journal.

Take It Off, Bill!

After much deliberation, a significant female quorum of this illustrious faculty has concluded that Professor Foster would be more likely to join ranks with the recent outpour of Australian superstars if he shaved off his beard. From Breaker Morant through to the Thorn Birds, we have seen nary a heart-throb from down under with facial hair.

We feel that this move can only serve to improve the profile of the Faculty. Watch out Mel Gibson!

Certain Female Members of the Quid Novi staff who choose to remain anonymous

Lost and found from the Dean's Reception:
--pale blue jacket
--2 patterned umbrellas.

Les big-macs attaquent la bibliothèque!

par Véronique Marleau

Il y a du nouveau à la bibliothèque. Et oui, il s'agit d'une grande première: nous avons finalement accès à des ordinateurs. Les étudiants vont enfin pouvoir se servir de terminaux pour effectuer recherches et travaux.

Pour en savoir plus long, je me suis entretenue avec Monsieur Kenshawe, directeur de la bibliothèque de droit. Il m'a fait part des nouveaux développements dans ce domaine.

La bibliothèque a récemment acquis trois ordinateurs MacIntosh munis chacun d'une imprimante et d'un modem. L'un d'eux sera strictement destiné à la recherche, car il est relié à Quick Law, un système d'accès à des données juridiques (banque d'informations). Les deux autres MacIntosh seront mis à la disposition des étudiants pour leur travaux.

Accès aux étudiants

Pour l'instant, seul l'ordinateur relié à Quick Law est en place. L'installation des deux autres ne devrait pas tarder. Monsieur Kenshawe, m'a indiquée que l'utilisation de l'ordinateur destiné à la recherche serait réservé aux Tutoriels pour la session d'automne. Cet hiver par contre, les étudiants graduant cette année auront priorité. Cette situation est sans aucun doute frustrante pour ceux qui ont des travaux au cours de cette session. Mais elle s'explique du fait que pour le moment, un seul ordinateur est relié à Q.L. et que l'on cherche à former dès l'entrée à la faculté, un noyau d'étudiants aptes à se servir du système de recherche par ordinateur de façon autonome. Il faut bien commencer quelque part.

Pour éviter le gaspillage de temps et l'abus, la bibliothèque mettra son personnel à la disposition des étudiants afin que ceux-ci soient assistés lors de leurs recherches. Comme l'expliquait Monsieur Kenshawe, la bibliothèque pourrait fort bien engager un individu chargé de cette tâche à plein temps. Cette initiative assurerait l'efficacité du service. Par contre, l'objectif visé par la faculté serait éclipsé, l'étudiant n'ayant alors aucunement à faire appel à ses talents personnels.

Pour avoir accès aux terminaux, on n'aura qu'à inscrire son nom sur une liste destinée à cette fin. Les ordinateurs m'a-t-on assuré pourront être utilisés jusqu'à la fermeture de la bibliothèque, soit 23 heures.

L'étudiant devra se procurer ses propres disquettes. Si certains programmes offerts par Apple présentent un intérêt spécifique, la bibliothèque se chargera de les obtenir et de les mettre à la disposition de tous.

Quick Law

C'est grâce au support monétaire de la faculté que la bibliothèque dispose à nouveau cette année d'une ligne reliant un des ordinateurs à Q.L. Les argents consentis (3000.\$) serviront à financer l'abonnement à Q.L., lequel est assez dispendieux. Normalement, chaque heure d'utilisation du système coûte aux usagers 75.00\$. La bibliothèque jouira cependant d'un tarif réduit, soit de 33.00\$ l'heure. Au surplus, le système de données de base, utilisé lors des stages d'apprentissage des méthodes de recherche sera mis à la disposition des Tutoriels à un coût encore moindre.

Q.L. offre à l'intéressé

l'accès à toutes les sources de données juridiques des provinces de common law, de même qu'à celles des États-Unis. Pour le moment, seul l'accès aux sources canadiennes sera défrayé par les fonds du Doyen. L'étudiant désirant utiliser Q.L. pour obtenir des informations provenant de sources américaines devra défrayer lui-même les coûts du service au tarif régulier (75.00\$ l'heure).

D'après Monsieur Kenshawe il est fort probable qu'éventuellement Q.L. gagne accès aux sources européennes par l'entremise d'Eurolex qui les compile. Imaginez tout de suite l'intérêt que prendrait alors Q.L. aux yeux de tous! Dans cette optique, l'acquisition d'une bonne maîtrise des techniques de recherche, nécessaires pour l'utilisation de Q.L. prend une toute nouvelle dimension. Son importance ne doit pas être sous-estimée, car vraisemblablement, dans un proche avenir la majorité des cabinets seront informatisés.

En ce qui concerne les sources québécoises, il faut se tourner vers SOQUIJ (Société québécoise d'information juridique). Cet organisme paragouvernemental oeuvre comme banque d'informations juridiques et détient le monopole de leur transmission au niveau informatique. La bibliothèque n'a pas encore établi sa politique à l'égard de SOQUIJ.

Le problème avec SOQUIJ est que son utilisation nécessite l'apprentissage de nouvelles techniques de recherche (par opposition à Q.L.). De plus, comme SOQUIJ n'offre pas de tarif réduit, son utilisation s'avère trois fois plus dispendieuse que celle de Q.L. Pour accéder à SOQUIJ, il faut de plus passer par une

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lawyers

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law school enrollment for the purpose of reducing the number of practising lawyers has serious deficiencies. If, indeed, there is a surplus of lawyers in Canada, the problem is not that there are too many people trained in law, but rather, that too many law school graduates have opted for a career in private legal practice. A legal education ought to represent more than a mere conduit to lucrative positions in private practice. If law societies succeed in reducing the availability of legal education, a generation of young people will be denied not only the chance for further education, but, also the opportunity to acquire useful qualifications needed in the future job market.

In early 1981 the Law Society of Upper Canada formed a committee to study whether the perceived oversupply of lawyers in Ontario was adversely affecting salaries and the quality of legal services, and to recommend courses of action. The Special Committee on Numbers was divided on the issue of whether or not there are too many lawyers.

The Committee agreed that lawyers are finding it hard to "obtain adequate incomes from the practice of law", but said that it was not clear whether this situation was the result, primarily, of the increase in the numbers of practising lawyers, or of other factors, such as the economic recession.

A report commissioned by the Committee and written by Professor David Stager, an economist at the University of Toronto, concludes that the current over-supply of lawyers is a short-term problem. In the next ten to fifteen years, demand for legal

services will likely increase more quickly than the supply of lawyers. Stager found that the number of lawyers in private practice is increasing more slowly each year so that by 1986, the number of lawyers in private practice is likely to reach a constant level or decline slightly. He projects that there may be a scarcity of lawyers by the mid-1990's.

Despite the optimistic forecast put forward by Professor Stager, there remains a "gut reaction" within the legal profession that there are more lawyers offering their services to the public than are needed. In a questionnaire sent to all members of the legal profession in Ontario, 72 per cent of the respondents believed that controls on the number of students entering the profession would be beneficial to the profession. Although there is little statistical evidence to support this perception, it is based on the general impression lawyers receive regarding the changing nature of their profession. This view is derived from a range of factors including the high unemployment rate among young lawyers, the declining quality of legal services, increased use of marketing techniques, heightened competition within the profession, and the relatively slow growth of lawyers' incomes.

The total full-time enrollment in Canadian law faculties stands roughly at 9,500; about 2,800 law students graduate each year. These numbers have remained stable over the past seven years, but during the fifteen years prior to 1976-77, enrollment increased enormously: it rose from 2,896 in 1962-63 to 9,351 in 1976-77, more than a three-fold increase.

This dramatic growth in law school enrollment took place at a time of high economic activity, when the pro-

fession was extremely busy and enjoyed high incomes. In the years between 1969 and 1977, the strong demand for legal services coincided with a general upswing in university enrollments in Canada. But in the years after 1977, there followed a slackening in the economy which, as it slowed into a recession, was not matched by an equivalent reduction in the numbers seeking to enter the profession of law. As a result, there is evidence of a relatively high unemployment rate among law school graduates.

In a 1980 study, Marie Huxter, Assistant Dean of Law at the University of Toronto, surveyed the employment opportunities of 1,725 lawyers who graduated in Ontario between 1975 and 1977. She found that more than four in ten had not found jobs by the time their bar-admission courses ended, almost two years later. Four per cent of the law-school graduates -- approximately 130 lawyers -- were still not employed in the legal field at the time of the survey. And one-third of the respondents said they had not found positions with the kind of firm that interested them.

It has been suggested that the employment situation for young lawyers could improve if there were an increased rate of general economic activity. But the Special Committee on Numbers found that the demand for lawyers' services is difficult to forecast. If the next five years are characterized by a declining gross national product, or by no economic growth, the demand for legal services will likely decline or remain stagnant. Some have argued that even if steps are taken to maintain the current number of graduates who wish to practice law, there may still be too many lawyers entering the profession.

Part Two Next Week

Entrevue

Cont'd from p. 1

"Ce n'est pas cette année que l'on pourra construire un centre capable de répondre à toutes les demandes et attentes des étudiants. Mais je pense qu'en travaillant conjointement avec le comité étudiant, on y arrivera dans un avenir très rapproché".

André Lemieux compte beaucoup sur le soutien étudiant. "Ils doivent apprendre à 'vendre' leur image, leur potentiel, leurs connaissances. Le centre est là pour les aider dans la mise en forme d'un projet, d'une demande, pour la préparation d'une entrevue ou d'un c.v. On sait que la demande est plus forte que l'offre. Mais avec de l'imagination, on pourra élargir les possibilités.

"Malheureusement, on ne peut pas tout faire du jour au lendemain. Vous voyez, je suis à ce point convaincu du besoin des étudiants que j'aimerais voir le service en fonction dès vendredi". Mais Paris...

Une Chaleur Italienne

Beaucoup de projets, autant d'énergie et surtout un ardent désir de communiquer, voilà qui caractérisent André Lemieux. La communi-

cation vue non seulement comme un besoin mais comme une valeur. Sa philosophie: écouter et répondre autant que possible, s'adapter aux changements, apprendre grâce aux contacts avec les gens. Il dit de son idole Léo Buscaglia, auteur de "Living, Loving and Learning", qu'il adore parler, toucher et sentir les gens. "C'est un Italien. Moi, je suis un peu comme cela". De Buscaglia, il retient aussi cette idée: "An investment in life is an investment in change. When you are changing all the time, you've got to continue to keep adjusting to change, which means that you are going to be constantly facing new obstacles. That's the joy of living, and once you are involved in the process of becoming, there's no stopping: you're doom, you're gone, but what a fantastic journey". A la suite de Buscaglia, André Lemieux reprend: "Si on ne change pas quotidiennement, on'sembourbe dans une espèce de bureaucratie qui n'est pas du tout conforme aux besoins des gens d'ici. J'espère ne jamais devenir un bureaucrate, assis derrière un beau gros bureau et qui n'arrive plus à communiquer. A ce moment-là, il faudra m'avertir, je changerai de travail."

retical or practical -- if it reflects the law in books or the law in action. In my view, however, the gravamen of the above example is that the theory/practice distinction is meaningless as a test of legal education. On the one hand, we should recognize that an idea which is good in theory but bad in practice is an idea which is theoretically unsound; on the other hand, those who argue for practical education often fail to realize the complex theoretical structure which supports their vision of practice. After all, practicality, concreteness and reality are not simply out there in the world; they are

intellectual constructs. Legal education may be good or bad, but rarely is it one or the other because it is too theoretical or too practical.

Next Week: sources of law and legal justification -- dilemmas of fact and value.

Les Big-Macs

Cont'd from p. 5

agence (AIONET), facteur peu susceptible de diminuer la facture. En bref, SOQUIJ s'avère être un système beaucoup plus complexe que Q.L. et surtout, largement plus coûteux. Il est fort déplorable que SOQUIJ refuse de se fusionner avec Q.L. Les politiques québécoises d'accès à l'information m'apparaissent à ce niveau extrêmement critiquables.

Traitement de texte

Les vétérans de l'informatique sont certainement familiers avec le MacRight, le système de traitement de texte spécifiquement conçu pour le MacIntosh. Tout comme moi, ils perçoivent sans doute avec scepticisme l'efficacité de ce programme. En effet, le MacRight (c'est pas du MacPoulet!) tel qu'il se présente actuellement, ne permet d'emmagasiner que dix pages de texte par disquette. C'est largement insuffisant pour nos besoins. Il y a cependant de l'espoir, puisque la compagnie Apple semble être sur le point de finaliser un; nouveau MacRight plus sophistiqué, permettant une mémorisation de 100 pages de texte par disquette.

Il faut s'en servir

Avant de terminer, j'aimerais souligner l'importance d'utiliser aussi souvent que possible ces outils précieux. Seuls un intérêt marqué et une demande croissante pour ces engins convaincront l'administration de la faculté de la nécessité de réitérer leur contribution l'année prochaine.

Education

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appointment of an expert to proceed to the partition (in other words, the dividing of the estate in two reasonably equitable lots and the drawing of straws or some other mechanism for their attribution). The appropriate decisional process amounts to an appeal to an experienced third party to provide an authoritative division.

The fact that competent lawyers routinely are able to bring insight of this kind to bear on the solution of every day problems might lead us to ask if this knowledge is theo-

SPORTS

Groundnuts, Round Bats, and Ground Balls

by Richard Quon

What do Chris Allard and John Godber (both first year), Pierre Brault (third year) and Joe Welch (fourth year) have in common? They pour beer over their ice cream, carry Snoopy lunchboxes and perform with the still unbeaten Dolus Bonus softball team. This quartet was instrumental in the team's 8-4 opening victory on September 21 over an under-managed "Management" team, who were more worried about profits than performance.

Welch was outstanding in the outfield, but then he should be. He's from Boston and we know that all-Americans start collecting baseball cards and throwing baseballs through windows before they are old enough to walk.

Another impressive debut came from the play of the grossly underpaid Allard at shortstop. I think this guy deserves John Shield's summaries or he'll play out his option.

There's John Godber, who refuses to play unless he gets to use the vinyl base-

ball glove he received on his fifth birthday. But what can you say about a guy with a Snoopy lunchbox?

But the hero of the day was another newcomer to the reigning champs. Pierre "I can't afford to work in a law office in the summer" Brault smashed a home run to break a 4-4 deadlock in the bottom of the fifth inning to give Dolus Bonus the eventual victory.

This was a unique game in that six members of the softball team are also on the Dolus Bonus version of the football squad, which was playing at the same time. It was quite a logistic accomplishment, but they did prove that you can be in two places

at the same time and still not know what you're doing. Ask Brian Ward. He still doesn't know if he should kick a ground ball or tackle a base-runner.

Finally, Coach Bobby Katz says that his team succeeds, not because of individual stars, but from the hard work and determination of his no-name lunch-bucket brigade, who go out and do their job.

Unconscionables Continue Undefeated Season!

The second game of this year's soccer season was played last Monday night under the light of Molson Stadium. All present saw a magically revitalized law team under the direction of new head coach Andrew Hoti Foti. Coach Foti recently left his front office position with the New York Cos-

mos, having been lured to Chancellor Day Hall by the challenge of transforming a band of unconscionables into a championship soccer team.

Using the benefit of Foti's superb tutelage, the Unconchies dominated the game. The team jumped ahead to a 1-0 lead on a lovely

goal played off the head of captain Elliot "Kid" Cooperstone. Smokin' Joe Tutino combined with Frank "The Tank" Zamanzadeh to mark the winner in the closing seconds of the contest.

This year's team boasts some exciting soccer talent. The goal is minded by veteran keeper Howard "Hands" Better. Hands enjoys defensive support from veteran players Lloyd "The Shine" Sheiner, Screwy Louis Beauchemin, Sweet Pete M and Jumpin' Jim Pappas. Screwy, an import from another faculty, has gained notoriety in the league for his effective and aggressive style of play. He hopes to meet some "women in the law". Sweet Pete and The Shine, on the other hand, have met enough. Nothing need be said about Jumpin' Jim.

Joining this year's defensive squad is Sneaky Pete McLarnon whose sure elbows and feet keep the opposition wondering. Also joining the club are rookie midfielders Kouassi (whose distinguished play earns him the honour of being included in that class of individuals who are recognized by only one name, such as Pete and Mr. "I") and "Tricky Dicky" Silver whose golden foot was responsible for last week's tying goal.

Of course, what championship midfield would be complete without the presence of Kandy Andy Cohen, whose dominating style (on and off the field) had long been the anchor of the Unconchies' attack.

Corrado "The Shadow" Des-tephano completes this year's rookie influence. The Shadow, presently on injured reserve, hopes to be back in uniform for next week's game

Cont'd on p. 10

Phi Delta Phi

Phi Delta Phi International Legal Fraternity

The word "fraternity" usually brings to mind wild animal houses and crazy initiations. Although Phi Delta Phi is certainly in charge of organizing wild times such as the Donut Eating Contest and the Extemporaneous Speaking Contest, we also have a serious side. Phi Delta Phi is the oldest international association in the legal profession. Laurier Inn at McGill is but one of the 130 Inns of Phi Delta Phi at law schools throughout Canada, the United States, Mexico and Guatemala. The name of our fraternity means "friends of justice and wisdom" and our primary goal is to promote ethics. The need for ethical associations in our profession is obvious. Phi Delta Phi, as the first and best equipped society for this purpose, encourages you to attend our functions. First year students are especially encouraged to find out more about the fraternity by contacting the Magister, Tony Abruzzese at 374-4875.

Jacqueline Lacey
Clerk, Laurier Inn

FOURTH YEAR CLASS MEETING

To All Students in
BCL/LLB IV:

There will be a class meeting on Wednesday October 3rd at 12:00 noon in Room 101. We will be discussing the graduation picture and any other matters of business which any of you may wish to raise. PLEASE ATTEND!

Observations

A friend of mine was passing through Montreal recently, on his way to London and beyond, in search of adventure and other elusive goals. And as we drank away the weekend, I envied him and his freedom. I envied him for not being tied down with the burdens of law school: he does not have to sift through the verbiage of Blaine Baker's lectures for a snippet of meaning, or weigh the advantages of incorporating federally or provincially, or prepare for the inevitable "Uh, Mr. Turner, could you help us with the facts of this case...?"

But freedom, too, can be a burden. In fact it can be downright cumbersome always having to make unimportant decisions and wondering what to do next with one's life. (Should I write a novel or

have another beer?) Indeed, freedom, or dealing with freedom, is a skill which requires a great deal of patience. It is an art which I, for one, could never master. So I came to McGill, where one always has some pressing assignment which fills the hours between movies at the Seville and Sunday afternoon outings.

And so I wish my friend well, because he is an accomplished wanderer and vagabond who never seems to worry about whose livingroom floor will next be his home. His lack of concern puts mine in perspective. Because in the long run, it is really only self-esteem that matters; as the saying goes, you have got to go when your heart says go, isn't that so?

Scott Turner

SEMINAR SERIES SOARS

To paraphrase last week's Quid, the Law Seminar Series has indeed taken off. Tomorrow, Thursday, 4 October 1984, at 4:00 p.m., in the Common Room, Professor Sklar will take the podium in the Series' second seminar. Prof. Sklar will try out some of his recent theories on a most intriguing topic: "The Rights of the Intellectually Handicapped".

Last week the Seminar Series soared again, as L.S.A. Council helped to give the program a new dimension. The "Seminar Series Organizing Committee" was created as a separate and distinct operation, composed of four undergraduates, one graduate student and one professor.

It is with great delight that we welcome to the Committee Associate Dean Simmonds from the Faculty and Ted Gruchalla-Wesierski from the Graduate Programs.

Members of the L.S.A. Council again revealed their infinite wisdom by entrusting the Chair of this new Committee to the able leadership of Jill Frank, B.C.L. II. Other members of the Committee are Sandra Stephenson, Robert Horwood, and myself. The Committee welcomes suggestions from all members of the School.

Daniel Gogek
LSA Curriculum Committee

CRIMINAL LAW GROUP

by **Marcel Banasinski**

The Criminal Law Group is an organization whose mandate consists of studying relevant and controversial issues in Criminal Law. Several of the members of the group have been involved in a Prisoners' Rights Project during the past summer and this issue will be one of the focal points of debate throughout the year.

The group plans to sponsor, in conjunction with the Women and the Law Group, a series of lectures and debates on such issues as prisoners' rights and prison reform, sexual assault and incest. A debate is tentatively scheduled between

Professor Sklar and Todd Sloan (B.C.L. IV) on the issue of the application of capital punishment for the killing of police officers and prison guards.

The group has purchased several copies of the recent penitentiary legislation and plans to donate two copies to the Legal Aid Clinic and one copy to the Law Library.

The elected executive members of the group are Murray McDonald and Todd Sloan as Presidents, and Marcy Morein as Secretary and Treasurer. Further information concerning group meetings and the various activities and debates will be posted throughout the building.

possible that there is a group of professionals "working" the library, it is also possible that the culprits are light fingered students. All of us have heard stories about summaries and course notes being stolen, and no professional thief in his right mind would show the least interest in Equity and Trusts notes.

The possibility that law students are doing the stealing is a particularly distressing thought, but regardless of who the thieves are, a little forethought would certainly minimize the rising occurrence of disappearing belongings. Do not leave any valuables (money, jewellery, watches, fur coats, etc.) at your desk -- leave them in your locker or carry them with you; if you must leave things behind, ask the person sitting nearest you to keep an eye on them for you. If you see someone leaving anything at his or her desk, make a mental note of who the person is; if a different person wanders off with the booty you will know that it is not the owner. If you see someone stealing notify the librarians immediately so that they can call security. If you are particularly familiar with the law regarding private citizen's arrest, of course, you could always hazard a running tackle.

It is not intended that this article should strike an alarmist chord or that we should all start looking at each other suspiciously. On the other hand, maybe we should all start being a little more careful about what is going on around us.

Unconscionables

if his toenail isn't hurting. Also missing from Monday night's play was Mr. October, Dave Sinclair, whose whereabouts are still unknown.

When perusing the above-noted soccer greats, it becomes apparent that this team is destined for a final banquet, next to which last year's affair will pale in comparison. For not only will they determine the identity of this year's Miss Chancellor Day, but they will invite her to drink from the Championship cup.

Joe Piscopo
Live: C.D.H. Sports

Quotes of the Week

"If presents were taxable Christmas wouldn't be any fun at all."

Professor Durnford
Tax I

THEFT

Pearl Eliadis

The scenario is becoming increasingly familiar. A student leaves a sweater, money, a wallet or even notes at a library desk for a few minutes. Later it is discovered that one or more personal effects are missing. Library theft is becoming a commonplace occurrence, and it is time we began being more cautious about our own valuables and those of the students around us.

It would appear, at least during this school year, that most thefts have occurred at the end of the week on Thursdays or Fridays. At least one library employee has noticed individuals he did not recognize wandering around the library, but we students are blithely leaving personal belongings around the library. While it is